

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Law Offices of Peter E. Zimnis
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Suite 412
Trenton, New Jersey 08619
Attorney for Debtor

In re:
TRACY CRARY

Debtor

Case No. 17-10106

Judge: Christine M. Gravelle

Chapter 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

- ☒ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**
☐ **TRUSTEE'S MOTION OR CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following

(choose one)

1. ☒ Motion for Relief from Automatic Stay filed by **Shellpoint**, creditor,

A hearing has been scheduled for June 21, 2017, at 9:00 a.m.

OR

- ☐ Motion to dismiss filed by the Standing Chapter 13 Trustee

A hearing has been scheduled for _____, at _____ m.

- ☐ Certification of Default filed by _____, creditor,

I am requesting a hearing be scheduled on this matter.

OR

- ☐ Certification of Default filed by Standing Chapter 13 Trustee

I am requesting a hearing on this matter.

2. I am objecting to the above for the following reasons (**choose one**)

- ☐ Payments have been made in the amount of \$ _____, but have not been accounted for. Documentation in support is attached hereto
- ☐ Payments have not been made for the following reasons and debtor proposes repayment as follows (**explain your answer**) _____

- ☐ Other (**explain your answer**) I sent check #3184 on or about 3/18 in the amount of \$1615 but it was never cashed. I sent check #3186 on or about May 28 in the amount of \$1615.00 but it was also never cashed. I replaced both of those with a new check given to my attorney. I will have June payment by the end of the month similar to all the other payments. If the previous payments where cashed timely I would be current less approximately \$120.00 due to being provided with a wrong payment amount. In addition I need verification of the payment address.

3. This certification is being made in an effort to resolve the issues raised by **Shellpoint**, the creditor in its motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: _____

/s/ Tracy Crary

Debtor's Signature

Date: _____

Debtor's Signature

NOTE

1. This form must be filed with the court and served upon the standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1 (d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an order resolving motion to vacate stay and /or dismiss with conditions) or a Trustee's Certification of Default.

If this form is not filed the Motion or Certification of Default will be deemed uncontested and no hearing will be scheduled